

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

NANCY ASARO and LORI DRING,	:	
	:	
	:	
Plaintiffs,	:	
	:	
v.	:	NO. 3:25-CV-00197
	:	
ROBERT J. CLAUSS,	:	JUDGE SAPORITO
THEODORE E. MALAKIN, III,	:	
JEFFREY BARONE,	:	
MARILEE BARONE, and	:	
GENEVIEVE GUTT SAYLOR,	:	ELECTRONICALLY FILED
	:	
Defendants.	:	

**MOTION FOR EXTENSION OF TIME TO FILE BRIEF
IN SUPPORT OF MOTION TO DISMISS**

Defendants Robert J. Clauss, Theodore E. Malakin, III, Jeffrey Barone, Marilee Barone, and Genevieve Gutt Saylor, by and through their undersigned counsel, hereby move for an extension of time to file a brief in support of their Motion To Dismiss, and, in support thereof, aver as follows:

1. On January 31, 2025, Plaintiffs Nancy Asaro and Lori Dring commenced this action against Robert J. Clauss, Theodore E. Malakin, III, Jeffrey Barone, Marilee Barone, and Genevieve Gutt Saylor (“Defendants”). (ECF 1.)
2. Defendants filed a Motion To Dismiss that Complaint on March 18, 2025. (ECF 5.)

3. Pursuant to Local Rule 7.5, the deadline for Defendants to file a brief in support of that Motion is April 1, 2025.

4. On March 28, 2025, the Court issued a Memorandum Opinion and Order in *Asaro, et al. v. Abernathy, et al.*, No. 3:23-cv-01576-JFS granting in part and denying in part the Motion To Dismiss of Defendants Michael G. Abernathy, Mary B. Abernathy, Christa Donati-Dougher, Brian R. Dougher, Judith Tadder, Allan L. Tadder, Mary Elizabeth Emmel, William J. Egan, Jr., William J. Egan, and Dennis John Dougherty.

5. Defendants in this matter require a 14-day extension of the deadline to file a supporting brief to analyze the Memorandum Opinion and Order in *Asaro, et al. v. Abernathy, et al.*, No. 3:23-cv-01576-JFS and its effect on their pending Motion To Dismiss.

6. Pursuant to Local Rule 7.5, no supporting brief is required for this Motion for Extension of Time because the reasons for the Motion and relief sought are fully stated herein.

WHEREFORE, Defendants Robert J. Clauss, Theodore E. Malakin, III, Jeffrey Barone, Marilee Barone, and Genevieve Gutt Saylor respectfully seek a 14-day extension to file a brief in support of their Motion to Dismiss.

Date: March 31, 2025

Respectfully submitted:

/s/ Daniel T. Brier

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CERTIFICATE OF NON-CONCURRENCE

I, Daniel T. Brier, hereby certify that concurrence was sought from counsel for Plaintiffs in this Motion. Mr. Davolos does not concur in the relief sought.

/s/ Daniel T. Brier
Daniel T. Brier

Date: March 31, 2025

CERTIFICATE OF SERVICE

I, Daniel T. Brier, hereby certify that a true and correct copy of the foregoing Motion for Extension of Time was served upon the following counsel of record via the Court's ECF system on this 31st day of March 2025:

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/s/ Daniel T. Brier

Daniel T. Brier